

MINUTES

Regular Meeting
City Hall Council Chamber

October 7, 2019
Monday, 6:00 p.m.

Present: Mayor O. Stanhope Anthony III, presiding; Council Members David W. White, David Causby, Violet Arth Dukes, Charles Webber, and Dicky Amaya; City Manager Rick Howell, ICMA-CM, City Attorney Robert W. (Bob) Yelton, City Clerk Bernadette A. Parduski, Assistant City Manager/Director of Finance Justin S. Merritt, MPA, Director of Human Resources Deborah (Deb) Jolly, Director of Energy Resources Julie R. McMurry, Director of Engineering Services Benjamin (Ben) Yarboro, Police Chief Jeffrey H. (Jeff) Ledford, Fire Chief William P. Hunt, MPA, EFO, and Director of Planning and Development Services Walter (Walt) Scharer, AICP

Absent: Council Member Eric B. Hendrick

Mayor Anthony called the meeting to order at 6:00 p.m. and welcomed all who were in attendance. The Mayor gave the invocation and Mr. White led the *Pledge of Allegiance*.

A. Approval of agenda:

- 1) Motion to adopt the proposed agenda

ACTION TAKEN: Upon a motion made by Mr. White, City Council voted unanimously to approve the agenda as presented.

B. Special Presentations:

- 1) Recognition of Melvin David Durham on the occasion of his retirement from employment with the City of Shelby

Mayor Anthony called upon Melvin David Durham. Mr. Durham recognized his wife, Diane, in attendance. The Mayor formally read and presented framed Resolution No. 61-2019 to Mr. Durham. He then presented a shadow box, which displays the key to the City and various keepsakes, and a City lapel pin to him in honor of and with heartfelt appreciation for his 30 years of dedicated service in the City of Shelby Natural Gas and Geographic Information System (GIS) Departments.

Humbled by the recognition, Mr. Durham expressed his appreciation to all.

- 2) Recognition of the Shelby Fire and Rescue Department on its Award of Accredited Agency status by the Commission on Fire Accreditation

International (CFAI) through the Center for Public Safety Excellence (CPSE) – Deputy Chief Cynthia Bonham, Charlotte Fire Department

Chief Hunt introduced Cynthia Bonham as the Deputy Chief of Business Administration with the Charlotte Fire Department. Chief Bonham has been with the department for 26 years. She has been extensively involved with fire accreditation serving both the Charlotte Fire Department as the Assistant Accreditation Manager from 2000 to 2005 and the Accreditation Manager from 2005 to 2010. She is a team leader, technical advisor, and technical reviewer for the CPSE and has been involved with the Center since 1999.

Deputy Chief Bonham stated the Shelby Fire and Rescue Department has proven it can embrace the model of continuous improvement and they are to be commended for that as she formally read and presented the plaque designating the Accredited Agency Award to the Shelby Fire and Rescue Department as granted by the Commission on Fire Accreditation International through the Center for Public Safety Excellence to Mayor Anthony and Chief Hunt.

Next, Chief Hunt presented the City of Shelby Fire and Rescue Accreditation Report Summary. He began by naming the Program Team as follows:

- William Hunt, Accreditation Manager**

- Todd McMurry, Division Chief – Logistics and Enforcement Services**
- Phillip Lane, Fire Marshal**
- Jimmy Wellmon, Battalion Chief**

- David Vanhoy, Division Chief – Personnel and Emergency Services**
- Quentin Cash, Battalion Chief**
- Matt Williams, Battalion Chief**
- Clinton Beam, Battalion Chief**

Chief Hunt reviewed the time line of the Shelby Fire and Rescue Department's initial accreditation on August 14, 2014 through its accredited agency status for 2019 through 2024 on August 7, 2019. The Fire and Rescue Department filed its fourth accredited agency annual compliance report on July 15, 2018, and subsequently submitted application for a second term as an accredited agency. The department was designated candidate status on February 4, 2019 after submission of its agency self-assessment documents. The CFAI formed a peer team consisting of four fire service professionals under the leadership of Chief Steven Locke of Burlington, Vermont to perform an assessment of the Fire and Rescue Department to determine eligibility. After a preliminary evaluation, a site visit was scheduled for April 28 through May 1, 2019 to allow the peer team to verify and validate the findings in the department's self-assessment documents. During the site

visit, peer team members reviewed documents and exhibits, toured critical public safety infrastructure, and conducted interviews of fire department staff, city officials and representatives from partnering agencies.

At the conclusion of the site visit, the peer team found the Fire and Rescue Department to be credible in all areas and recommended it for accredited status. On August 7, 2019, representatives from the department attended the CFAI commission hearings in Atlanta, Georgia and based upon review of the peer team accreditation report and testimony given by those in attendance, the Commission gave unanimous approval for accredited agency status for the term 2019 through 2024 to the City of Shelby Fire and Rescue Department.

C. Consent Agenda:

ACTION TAKEN: Mayor Anthony presented the consent agenda. Mr. Causby made a motion to approve the consent agenda. The consent agenda and following items were unanimously approved:

- 1) Approval of the Minutes of the Regular Meeting of September 16, 2019
- 2) Approval of Special Event Permit Applications:
 - a. Cleveland County Scholarship Foundation Halloween Party, requested date: October 31, 2019
 - b. Cleveland County Veterans Day Parade, requested date: November 11, 2019
- 3) Approval of a resolution honoring William Craig Earwood on the occasion of his retirement from employment with the City of Shelby: Resolution No. 63-2019
- 4) Adoption of Fiscal Year (FY) 2019-2020 Budget Ordinance Amendment No. 6: Ordinance No. 66-2019
- 5) Adoption of Fiscal Year (FY) 2019-2020 Budget Ordinance Amendment No. 7: Ordinance No. 67-2019
- 6) Adoption of Fiscal Year (FY) 2019-2020 Budget Ordinance Amendment No. 8: Ordinance No. 68-2019
- 7) Adoption of a budget ordinance amendment for the City of Shelby's Hanna Property Multi-purpose Recreation Complex Project: Ordinance No. 69-2019

- 8) Adoption of a budget ordinance amendment for the City of Shelby's Job Ready Shell Building No. 3 Project: Ordinance No. 70-2019
- 9) Adoption of an ordinance authorizing demolition of a dwelling (800 Gardner Street): Ordinance No. 71-2019
- 10) Adoption of an ordinance authorizing demolition of a dwelling (308 East Sumter Street): Ordinance No. 72-2019
- 11) Approval of a resolution recognizing the Shelby Natural Gas Department as a recipient of the American Public Gas Association's System Operational Achievement Recognition (SOAR) Award – Bronze Level: Resolution No. 64-2019

END CONSENT AGENDA

D. Unfinished Business: None

E. New Business:

- 1) Consideration of a resolution authorizing selection of TGS Engineers based on qualifications for engineering design services for the City of Shelby portion of the Rail Trail: Resolution No. 65-2019

Mr. Howell introduced Resolution No. 65-2019 for Council's consideration. If approved, the resolution would authorize the selection of TGS Engineers of Shelby, North Carolina as the consultant for engineering and design services for the Phase I and Phase II of the Rail Trail Project. As per the North Carolina General Statutes and City policy, the City of Shelby advertised a Request for Qualifications for the professional, technical, and advisory services for the design of these two phases of the Rail Trail. The City received five responses to this advertisement and the responses were received from the following firms:

- Kimley-Horn of Charlotte, North Carolina
- Land Design of Charlotte, North Carolina
- McGill Associates of Asheville, North Carolina
- TGS Engineers of Shelby, North Carolina
- Toole Design of Raleigh, North Carolina

A review committee led by Engineering Services Director Ben Yarboro and five City staff was established and determined that TGS Engineers was the most qualified firm to perform the engineering design services for the portion of the Rail Trail located within the Shelby city limits.

Mr. Howell added that TGS Engineers proposes to utilize the following professional firms as sub-contractors on this project:

- The Dodd Studio for streetscape and landscape design
- Destination by Design for branding, wayfinding, and public involvement
- WithersRavenel for landscape design support and funding support

Mr. Howell recommended approval of the resolution selecting TGS Engineers as the firm to perform the engineering design services for the City of Shelby Rail Trail from Grover Street to Dekalb Street and authorizing him to negotiate and execute an agreement that establishes the scope of work and fees associated with the professional services that are to be completed.

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to approve and adopt Resolution No. 65-2019 entitled, “A RESOLUTION AUTHORIZING SELECTION OF TGS ENGINEERS BASED ON QUALIFICATIONS FOR ENGINEERING DESIGN SERVICES FOR THE CITY OF SHELBY PORTION OF THE RAIL TRAIL”.

F. City Manager’s Report:

- 1) Mr. Howell anticipates a status report on several projects including the T-Hangar Project at the Shelby-Cleveland County Regional Airport, the Water Treatment Plant Upgrades Project, the Uptown Shelby Streetscape Project, and the Wastewater Treatment Plant Bio-solids Improvement Project at the next Council meeting of October 21, 2019.
- 2) Mr. Howell reminded Council the approval of the budget ordinance amendment for Job Ready Shell Building No. 3 Project appropriates funding for the site preparation and building design. WHN Architects will be the building designer and McGill Associates is the site preparation engineer. Construction is anticipated to begin in March 2020.
- 3) Mr. Howell reminded Council that Greenheck Fan Corporation’s economic development announcement and event will be held on October 23, 2019 from 11:30 a.m. to 1:30 p.m. at the former Schletter facility located in the Foothills Commerce Center.
- 4) Mr. Howell expressed his appreciation to all those who arranged and who attended the City’s Volunteer Recognition Event on October 3, 2019.

G. Council Announcements and Remarks:

- 1) Mayor Anthony echoed Mr. Howell's comments regarding the City's Volunteer Recognition Event which was well attended and well received.
- 2) Richard Hooker, Executive Director of the Cleveland County Business Development Center, announced that Minority Enterprise Development (MED) Week, October 13 through 19, 2019, will be observed and celebrated in Shelby and Cleveland County.
- 3) Mr. Amaya announced the City of Shelby Primary Election is tomorrow, October 8, 2019, encouraging voters to vote.
- 4) Mr. Webber expressed his appreciation to City staff, noting tonight's presentations of the 30-year retirement and the accreditation of the Fire and Rescue Department exemplifies the caliber of employees working for the City of Shelby.

H. Closed Session:

- 1) To establish or instruct staff concerning the position to be taken by or on behalf of City Council in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease pursuant to North Carolina General Statute 143-318.11 (a) (5)

ACTION TAKEN: Mr. White made a motion to enter into a closed session pursuant to the appropriate North Carolina General Statutes as cited. Mayor Anthony consulted with Mr. Yelton who advised the topic met the statutory requirements for a closed session. The Mayor invited all Council members present along with Mr. Howell and Mr. Yelton to attend. The motion passed unanimously and Council moved into closed session at 6:43 p.m.

Council returned to the regular session at 6:58 p.m.

I. Adjournment:

- 1) Motion to adjourn

ACTION TAKEN: Upon a motion made by Mr. Amaya, City Council voted unanimously to adjourn the meeting at 6:59 p.m.

Respectfully submitted,

**Bernadette A. Parduski, NCCMC, MMC
City Clerk**

**O. Stanhope Anthony III
Mayor**

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